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4
5 IN THE UNITED STATES DISTRICT COURT
6
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8
9 UNITED STATES OF AMERICA,

No. CR 06-00075 CW

10 Plaintiff,

ORDER FOR PRETRIAL

11 v.

PREPARATION FOR

12 WILLIAM FOOTE,

CRIMINAL

13 Defendant.
14 _____/

JURY TRIAL

15 Good cause appearing, it is hereby ordered that:

16 1. TRIAL DATE

17 a. Jury trial will begin on **September 11, 2006, at 8:30**
18 **A.M.**, in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland,
19 California.

20 b. The length of trial will be not more than 3 days.

21 2. DISCOVERY

22 Both sides will comply with the Federal Rules of Criminal
23 Procedure, Crim. L.R. 16-1, and the United States will comply with
24 Brady v. Maryland, 373 U.S. 83 (1963) and United States v. Agurs 427
25 U.S. 97 (1976).

26 3. MOTIONS

27 Pretrial motions may be noticed for any available Monday
28

1 before September 5, 2006.

2 4. PRETRIAL CONFERENCE

3 a. A pretrial conference will be held on **Tuesday, September**
4 **5, 2006, at 2:00 P.M.**, in Courtroom 2. It shall be attended by the
5 attorneys who will try the case.

6 b. **Not less than one week prior to the pretrial conference,**
7 counsel shall comply with Crim. L.R. 17-1(b).

8 c. Jury instructions §1.1 through §1.12, §3.1 through §3.10
9 and §7.1 through §7.6 from the Manual of Model Jury Instructions for
10 the Ninth Circuit (2000) will be given absent objection. Counsel
11 shall jointly submit one set of additional proposed jury instructions,
12 ordered in a logical sequence, together with a table of contents,
13 using the Ninth Circuit Manual where possible, or Devitt and Blackmar
14 or CALJIC, **not less than one week prior to the pretrial conference.**
15 Any instructions on which counsel cannot agree shall be marked as
16 "disputed," and shall be included within the jointly submitted
17 instructions and accompanying table of contents, in the place where
18 the party proposing the instruction believes it should be given.
19 Argument and authority for and against each disputed instruction shall
20 be included as part of the joint submission, on separate sheets
21 directly following the disputed instruction. Counsel for the United
22 States shall submit a verdict form. The attached voir dire will be
23 given to the venire members. Counsel should submit an agreed upon set
24 of additional requested voir dire questions to be posed by the Court.
25 Any voir dire questions on which counsel cannot agree shall be
26 submitted separately. Counsel will be allowed brief follow-up voir
27 dire after the Court's questioning. Any motions in limine should be
28 noticed for hearing at the pretrial conference in accordance with

1 Criminal Local Rule 47-2.

2 5. JURY SELECTION

3 The Jury Commissioner will summon 35 to 40 prospective
4 jurors. The Courtroom Deputy will select their names at random and
5 seat them in the courtroom in the order in which their names are
6 called.

7 Voir dire will be asked of sufficient venire persons so that
8 twelve (plus a sufficient number for alternates) will remain after all
9 peremptory challenges and an anticipated number of hardship dismissals
10 and cause challenges have been made.

11 The Court will then take cause challenges, and discuss hardship
12 claims from the individual jurors, outside the presence of the venire.
13 The Court will inform the attorneys which hardship claims and cause
14 challenges will be granted, but will not announce those dismissals
15 until the process is completed. Peremptory challenges will be made
16 in writing and passed between counsel in accordance with Crim. L.R.
17 24-2 and 24-3. The Court will strike the persons with meritorious
18 hardships, those excused for cause, and those challenged peremptorily,
19 and call the first twelve people (plus alternates) in numerical
20 sequence remaining. Those people will be the jury.

21
22
23 Dated: 8/10/06



24 CLAUDIA WILKEN
25 United States District Judge
26
27
28

JUROR QUESTIONNAIRE

Please fill out this form as completely as possible and print clearly. Since we want to make copies for the attorneys and the Court, do not write on the back of any page. If you need more room, continue at the bottom of the page. Thank you for your cooperation.

1. Your name: _____

2. Your age: _____

3. The City where you live: _____

4. Your place of birth: _____

5. Do you rent or own your own home? _____

6. Your marital status: (circle one)

single married separated divorced widowed

7. What is your occupation, and how long have you worked in it? (If you are retired, please describe your main occupation when you were working).

8. Who is (or was) your employer?

9. How long have you worked for this employer? _____

10. Please list the occupations of any adults with whom you live.

11. If you have children, please list their ages and sex and, if they are employed, please give their occupations.

1 12. Please describe your educational background:

2 Highest grade completed: _____

3 College and/or vocational schools you have attended:

4 _____

5 _____

6 _____

7 _____

8 Major areas of study: _____

9 13. Have you ever served on a jury? _____ No. of
10 times? _____

11 If yes: State/County Court _____ Federal Court _____

12 When? _____

13 Was it a civil or criminal case? _____

14 _____

15 _____

16 Did any of the juries reach a verdict? _____

17 _____

18 (Rev. 3/03)

19 _____

20 _____

21 _____

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